THANK YOU!!! IEASE STAMP FILE AND

Case 5:00-cv-00869-DNH D00	/ 1 <b>~</b> 1
<del>-</del>	U.S. DISTRICT COURT-N.D. OF N.Y.  ES DISTRICT COURT  DISTRICT OF NEW YORK
JAIME A. DAVIDSON, Petitioner,	JUN 2 2003
-Vs-	CRIM. NO. 92-CANTERES K. Baerman Gerk - Syracuse  CIVIL NO. 5:00-CV-865 (NO. Gerk - Syracuse)  APPEAL NO. 01-2370
UNITED STATES OF AMERICA, Respondent.	) ) _/

# NOTICE REQUESTING AN EQUITABLE COURT ORDER BASED ON NEWLY DISCOVERED EVIDENCE

TO THE HONORABLE JUDGE OF SAID COURT;
MAY IT PLEASE THIS COURT:

Hon. McCurn, S.J., please find attached a May 2nd, 2003, Jet Magazine article titled, "Judge Overturns Florida Man's Murder Conviction", which critically highlighted [in a similar fashion as in Mr. Davidson's case with the tape recording proffered by Ms. Angela E. Brown, M.Div.,] which states as follows:

"Brown's case had been working its way through a 'Federal Appeal' until New Evidence allegedly pointed to another suspect, former Detention Deputy Andrew Johnson. 'Recordings caught Johnson bragging last year to undercover Officers posing as drug dealers that he killed Behan', giving details that matched physical evidence and witness statements."

Id. At page 46 (Jet Magazine dated June 2nd, 2003).

Wherefore, in light of the telephone cassette tape recording interview with Dr. David A. Rigle being kept in Your Honor's Chamber, detailing how the Government lied to him regarding Officer Wallie Howard, Jr's seated position found after being shot (proving my claims of actually (factually) innocent), and analyzed to the aforementioned situation overturned in a Federal Court...; Petitioner, pro-se, respectfully requests that this Honorable Court in good faith,

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'executes the same type of Equitable Decision in Mr. Davidson's favor (viewing the fact that, for over 12 years the Government has been misrepresenting the facts committing a fraud on the Court, manipulating this Honorable Court into making seriously erroneous rulings (pointing towards additional claims of Judicial Biasness), and causing the integrity of the Judicial System to be tarnished (along with the appearance of Justice) i.e., due to the Hon. Neal P. McCurn.S.J's trust in Mr. John G. Duncan, Esq., that he would not lie and walk a crooked line (abusing of said trust and/or taking advantage of Your Honor, giving the Government the full benefit of the doubt), and now, it all has been exposed and the truth has finally come to light where the prosecution had covered-up the fact that Officer Howard, Jr. was indeed "ASSASSINATED"); Order the Government to respond immediately (especially, based on the fact that the Government recently spoke to Ms. Angela E. Brown, M. Div. and it was revealed that said cassette tape was "NEVER BLANK, BUT ONLY LOW" and another copy was mailed to his office); GRANT an immediate Evidentiary Hearing and/or New Trial; GRANT an Order to Depose Dr. David A. Rigle and/or Grant whatever other EQUITABLE RELIEF this Honorable Court deems just, proper and/or necessary as the law demands, to prevent any further "FUNDAMENTAL MISCARRIAGE OF JUSTICE."

SIGNED ON THIS 29, DAY OF 39, 2003.

RESPECTFULLY SUBMITTED,

Jaime A. Davidson, PRO/SE. Reg. No. 37593- 053 (B-4)

U.S.P. Pollock

## CERTIFICATE OF SERVICE

I, Jaime A. Davidson, pro-se, hereby certify that I have served a true and correct copy of the following: "NOTICE REQUESTING AN EQUITABLE COURT ORDER BASED ON NEWLY DISCOVERED EVIDENCE

Which is deemed filed at the time it was delivered to prison authorities for forwarding to the court, <u>Houston v. Lack.</u> 101 L.Ed.2d 245 (1988), upon the court and parties to litigation and or his/her attorney(s) of record, by placing same in a sealed, postage prepaid envelope addressed to:

MR. JOHN G. DUNCAN, ESQ. EXEC. ASSISTANT U.S. ATTORNEY 900 FEDERAL BUILDING P.O. BOX - 7198 SYRACUSE, N.Y. 13261-7198

and deposited same	in the United	i States Postal N	Iail at the	United States	Penitentiary, Pollock
Louisiana, on this:	29	day of:	MAY	V	, 2003.

Jaime A. Davidson, Pro-Se. Reg. No. #37593-053 (B-4)

(USP) POLLOCK P.O.Box 2099 POLLOCK, LA 71467

# JUNE 2ND, 2003 JET MAGAZINE

# LAW & JUSTICE

**◄** Timothy Brown (c) celebrates his release from prison with his stepmother, Othalean Brown (1). and his girlfriend, Shonteri Smith, 21, as he addresses the media outside the **Broward County** Jail in Fort Lauderdale, FL. Brown spent nearly 12 years in prison for the murder of a Broward County Sheriff's deputy before a judge overturned his conviction.

### **Judge Overturns Florida Man's Murder Conviction**

Family and friends rushed in to fill the 12-year void in Timothy Brown's life once he was released from prison after a judge overturned his murder conviction and a bail bondsman donated money to have him released.

Brown, 27, who is mentally handicapped, was convicted and sentenced to life in prison for the murder of Broward County Deputy Patrick Behan, who was fatally shot while he sat in his patrol car outside a Pembroke Park convenience store, writing a report.

Brown's conviction was overturned in March when a federal judge determined that a jury would not have returned a guilty verdict based on evidence available today. U.S. District Judge Donald Graham also concluded that Brown never fully grasped his legal rights when he gave a

confession to the Behan slaying.

The judge said that if prosecutors decide to retry Brown for the murder of Deputy Patrick Behan, the trial will begin June 23. If prosecutors don't retry Brown, he must be permanently freed without bond by June 25.

"It just feels good to be out," Brown said as he stepped out of jail to hug his stepmother and a pen-pal girlfriend he was meeting for the first time. "I'm going home to my family."

Brown's case had been working its way through a federal appeal until new evidence allegedly pointed to another suspect, former detention deputy Andrew Johnson. Recordings caught Johnson bragging last year to undercover officers posing as drug dealers that he killed Behan, giving details that matched physical evidence and witness statements.



▲ MICHIGAN HALL (at the Michigan Sport Field in Detroit. Du was one of the seven Detroit Lions great one of the most populations of the most populations himself a he was awarded the skills, Dumars is we that the NBA name

